

House Resolution 1046

By: Representative Sims of the 169th

A RESOLUTION

1 Proposing an amendment to the Constitution so as to allocate the revenue from the state sales
2 and use tax with respect to the sale of food and beverages for off-premises consumption to
3 fund relief from ad valorem property taxes for educational purposes, indigent defense, mental
4 health and mental retardation care, and PeachCare for children and adults; to provide for the
5 submission of this amendment for ratification or rejection; and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article VII, Section IIA is amended by adding a new Paragraph at the end thereof, to be
9 designated Paragraph II, to read as follows:

10 "Paragraph II. ***Adjustment funding.*** The General Assembly shall provide by general law
11 for the annual allocation of the revenue derived from the state sales and use tax with
12 respect to the sale of food and beverages for off-premises consumption into a separate trust
13 fund to fund relief from ad valorem property taxes for educational purposes, indigent
14 defense, mental health and mental retardation care, and PeachCare for children and adults.
15 Moneys paid into the trust fund shall not be subject to the provisions of Article III, Section
16 IX, Paragraph IV(c), relative to lapsing of funds, or of Article VII, Section III, Paragraph
17 II, relative to funds paid into the state treasury, except that moneys appropriated from the
18 trust fund and not committed shall lapse back to the trust fund."

19 **SECTION 2.**

20 The above proposed amendment to the Constitution of Georgia shall be published and
21 submitted as provided in Article X, Section I, Paragraph II of the Constitution. The ballot
22 submitting the above proposed amendment shall have written or printed thereon the
23 following:

- 1 "() YES Shall the Constitution of Georgia be amended so as to allocate the revenue
2 from the levy of state sales and use tax on food and beverages for
3 () NO off-premises consumption to fund relief from ad valorem property taxes for
4 educational purposes, indigent defense, mental health and mental retardation
5 care, and PeachCare for children and adults?"
- 6 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
7 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
8 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
9 become a part of the Constitution of this state.